IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION.

CIVIL APPLICATION NO.936 OF 2005.

IN

SECOND APPEAL NO.914 OF 2004.

Shri Babaso Bandu Awati : Applicant.

versus

Shri Shivappa Bhau Awati & Anr. : Respondents.

Mr.D.B.Patil for the applicant.

CORAM : D.G.DESHPANDE,J.

DATED : 22nd September 2005.

ORAL ORDER

1. This is an application for setting aside the order of dismissal of the second appeal dated 10th March 2005. On that date the second appeal was to be admitted. At that time nobody was present nor any notice was issued. The appellant has given sufficient cause for the absence on that day. Therefore, this civil application is allowed. Appeal is restored to file. Appeal to come up for admission on 6th October 2005.

[D.G.DESHPANDE,J]